



**Public Works Committee**  
**Thursday, February 24, 2022 at 6:00 pm**  
**Notice of Meeting**  
320 N Main St. Falls City, OR 97344

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**Committee Members**

Mike McConnell - Tony Meier - Jeff Propp - Gordon Hanson - Guy Mack - Cliff Lauder - Tracy you

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Motion to Adopt the Entire Agenda**
- 4. Consent Agenda - Motion Action Approving Consent Agenda Items**
  - a. January 27, 2022 Minutes**

**Attachments:**

- **January 27, 2022 Public Works Committee Minutes** (Public\_Works\_Minutes\_-\_UAB01-27-22.doc)

- 5. Public Comments**
- 6. New Business**
  - a. Ordinance 420 Discussion**

**Attachments:**

- **Ordinance 420** (Ordinance\_420\_clearer.pdf)
- **Municipal Code 50.08** (Ordinance\_Rework.pdf)

- 7. Old Business**
- 8. Correspondence, Comments and Ex-Officio Reports**
- 9. Committee Announcements**
- 10. Adjourn**

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Contact: Jeremy Teal (jteal@fallscityoregon.gov 5037873631) | Agenda published on 02/23/2022 at 11:20 AM

**City of Falls City**  
**Public Works Committee Meeting**  
Thursday January 27, 2022 6:00PM  
Meeting Location: 320 N. Main Street  
Masks are Mandatory

**Committee Members Present**

Mike McConnell, Tony Meier, Cliff Lauder, Tracy Young

**1) Call to Order**

Chair McConnell called the meeting to order at 6:05 PM, took roll call.

**2) Pledge of Allegiance**

Chair McConnell led the Committee in the Pledge of Allegiance.

**3) Motion to Adopt the entire Agenda**

Member Meier moved and member Young seconded: **that we adopt the entire Agenda.** Motion carried 4-0-0 Ayes. Mike McConnell, Tracy Young, Cliff Lauder, Tony Meier

**4) Consent Agenda: Motion Action Approving Consent Agenda Items**

Member Meier moved and member Lauder seconded: **that we approve Consent Agenda Item, PWC Minutes November 18, 2021.** Motion carried 4-0-0 Ayes. Mike McConnell, Cliff Lauder, Tracy Young, Tony Meier

**5) Public Comment**

None

**6) New Business - None**

**7) Old Business**

**A. Public Works Report: October 2021 - FYI**

**8) Correspondence, Comments and Ex-Officio Report**

Chair McConnell informed PWC that he had spoken with City Manager Foscoli about rerouting the sewer line from the Fair Oaks Pump Station and that the City Engineer thought it best to leave as is. Chair McConnell **believes that City Council should be made aware that an alternate route for the sewer line could save the City money.**

Member Meier mentioned that City Council did not receive October 2021 motions on Backflow Devices or changes to Municipal Parking regulations. **Action Item: PWC requests that a copy of our meeting minutes be included in the City Council Meeting packets each month.**

**9) Committee Announcements**

Next meeting to be held **Thursday February 24** at 6:00 pm, Community Center.

**10) Adjourn**

Member Lauder moved and member McConnell seconded: **we adjourn.** Motion carried 4-0-0 Ayes. Mike McConnell, Tony Meier, Cliff Lauder, Tracy Young.. Meeting adjourned at 7:35.

\_\_\_\_\_ Public Works Committee Chair McConnell

Attested: \_\_\_\_\_ Public Works Committee Member

## ORDINANCE NO. 420

AN ORDINANCE REGULATING THE USE AND CONSTRUCTION OF COMMUNITY AND ON-SITE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, SEWER CONNECTION FEES, THE DISCHARGE OF WATER AND WASTES INTO THE COMMUNITY AND ON-SITE SEWER SYSTEMS, PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE CITY OF FALLS CITY, POLK COUNTY, STATE OF OREGON; AND REPEALING ORDINANCE NO. 409C.

BE IT ORDAINED AND ENACTED by the City Council of the City of Falls City as follows:

ARTICLE I: Declaration of Intent

The City of Falls City, hereinafter called City, in a further desire to define its responsibilities and the responsibilities of property owners to the community sewer system and the on-site sewer systems and the availability of that system and requirement for its use of its residents, sets out the following requirements:

ARTICLE II. Definitions

Section 1. "Building Drain" is defined by the Oregon Plumbing Specialty Code and extends from a building and terminates five feet outside of a building.

Section 2. "Building Sewer" is defined by the Oregon Plumbing Specialty Code and is the extension from the building drain to the interceptor tank.

Section 3. "Commercial Building" shall mean all premises, except those designated as Public Buildings by the City Council, that are used for any purpose other than as a residence.

Section 4. "Community Sewer System" shall mean all public sewers operated under City authority.

Section 5. "Effluent Sewer" is that part of the community sewer system located between an interceptor tank and a street sewer.

Section 6. "Interceptor Tank" shall mean a tank installed between the building sewer and the community sewer. Interceptor tanks are City property and part of the community sewer system.

Section 7. "Person" shall mean any individual, company, firm, association, society, corporation or group.

Section 8. "On-Site System" shall mean a septic tank and drainfield or mounded or other collection, treatment and disposal system that is initiated and completed on private property and is not connected to the community sewer system.

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Section 9. "Public Building" is any premises or part of any premises used primarily for public purposes and designated a public building by the City Council.

Section 10. "Public Sewer" shall mean all community sewer systems.

Section 11. "Public Treatment Works" shall mean any treatment works owned and operated by the City.

Section 12. "Residence" shall mean a structure used primarily for residential purposes.

Section 13. "Sanitation Manager" shall mean the Chairman of the Sewer Board of the City or such individual authorized to act on behalf of the City.

Section 14. "Sewage" means water-carried human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such groundwater infiltration, surface waters or industrial waste as may be present.

Section 15. "Slugs" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Section 16. "Storm Drain" shall mean a sewer which carries storm and surface waters, but excludes sewage and industrial wastes and other polluted waters.

### ARTICLE III. Use of On-Site or Community Sewers

Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner, on public or private property within the City, any sewage.

Section 2. It shall be unlawful to discharge to any natural outlet or stream within the City or in any area under the jurisdiction of the City any sewage or other wastes except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3. It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage except as provided in this ordinance and approved by the City, or as approved by the State Department of Environmental Quality or its agent, the Polk County Sanitarian.

Section 4. Except as stated in Section 6 below, the owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting or within 200 feet of any street, alley, right-of-way or easement, in which there is now located or may in the future be located a community sewer belonging

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to the City, is hereby required at owner's expense to install suitable facilities therein, including an interceptor tank as specified by the Sanitation Manager, and arrange for connection of such facilities directly to the community sewer system. Such connection shall be made under the direction of the Sanitation Manager within 90 days after official notice to do so.

Section 5. The Sanitation Manager shall establish, by written policy, the materials, including interceptor tank and effluent sewer piping, to be used in the installation, construction and connection of all new facilities, and shall establish leakage allowances for both interceptor tanks and effluent sewers using a standard exfiltration test.

Section 6. During the initial construction phase of the sand-filter sewer system, the City shall install all interceptor tanks and sewer lines from the interceptor tank to the community sewer system, and from the interceptor tank to within five (5) feet of the structure to be serviced. After initial construction phase, all connections will be subject to the permit provisions contained in Article IV, Section 2 if on-site and Article V Section 2 if community sewer system connection.

Section 7. Within one year of construction completion, owners shall, at their expense, abandon and fill all existing on-site septic tanks not connected to the community sewer system in accordance with the regulations of the State Department of Environmental Quality.

#### ARTICLE IV. On-Site Sewer Systems

Section 1. Where the community sewer system is not available, building sewers shall be connected to an on-site disposal system.

Section 2. Before commencement of construction of an on-site sewage disposal system the owner shall first obtain a written permit from the State Department of Environmental Quality or Polk County Department of Environmental Quality or equivalent agency as may be required. The permit for an on-site sewer system must be approved by the City prior to the issuance of a building permit. An on-site disposal system will not be allowed if connection to community sewer system is possible.

Section 3. When the City determines, by written notice to a property owner, that its community sewer system is available to property served by an on-site sewage disposal system, the provisions of Article III, Section 4-7 shall apply.

Section 4. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the State Department of Environmental Quality or Polk County.

#### ARTICLE V. Community Sewer System Connections

Section 1. The community sewer system as presently designed is limited in capacity for both initial hookups and flow through the system. All connections to the community sewer system shall be permitted only after

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the Sewer Board has determined that there is a demonstrated need for such connection. No connections shall be allowed outside the corporate city limits.

Section 2. No unauthorized person shall uncover, make a connection with, or opening into, use, alter, or disturb any community sewer system without first obtaining a written permit from the Sanitation Manager. All permit applications shall be approved by the Sanitation Manager and must meet specifications specified by the City. A permit inspection fee, in an amount established by the City Council, shall be paid at the time the permit application is filed.

Section 3. The property owner shall pay all costs and expenses incident to the installation of the building sewer and its connection to the community sewer system, including, but not limited to, the costs of interceptor tanks and effluent lines required to service the property. The property owner shall reimburse the City for any loss or damage that may directly or indirectly be caused by the installation of the building sewer. Nothing contained in this section shall prevent any person from applying for an receiving any grant monies available through the Polk County Housing Authority and Urban Renewal Agency.

Section 4. The City may, on a one-time basis only, pay or cause to be paid the partial cost of installations to the community sewer from the execution of this Ordinance until final designs of public sewer systems have been approved. At all other times, such costs shall be assessed the property owner.

Section 5. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to or from the interceptor tank and public sewer system at no cost to the City.

Section 6. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the public treatment works.

Section 7. A person applying for connection to the Community Sewer System shall notify the Sanitation Manager when the effluent sewer is ready for inspection and connection to the public sewer. The Sanitation Manager will inspect the proposed connection to the street sewer including the installation of the interceptor tank and piping. The connection shall be under the supervision of the Sanitation Manager or his representative. No pipings, fittings or tankage shall be back-filled or covered in any way until the Sanitation Manager has inspected and approved the completed work.

Section 8. All excavations for effluent sewer installation shall be adequately guarded with barricades and lights so as to protect the public

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from hazard. Private contractors involved in the construction described in this ordinance shall defend, preserve and shall hold the City harmless from any claims made by third parties injured due to the contractor's negligence. Streets, sidewalks, parkways and private property disturbed in course of the work described herein shall be restored in a manner satisfactory to the City Council.

Section 9. The City shall have the right, at all times, to enter property by way of the appropriate easement, in order to inspect, repair, clean or otherwise service the community sewage system, including the interceptor tank.

ARTICLE VI. Connection Fees.

Section 1. The City Council shall establish a connection fee schedule which it may change by resolution from time to time. The current fee schedule shall be attached as Exhibit "A" to this Ordinance and by this reference is incorporated herein. Fees for the connection of existing buildings to the community sewer system shall be due within 30 days of "Notice to Connect" sent to all affected property owners by the City. Where permits have been obtained pursuant to Article V Section 2, connection fees shall be payable in advance. Applicants for connections to be made after completion of construction of the system shall pay all costs of making the connection.

Section 2. Those residences and commercial buildings located within the area served which are "not offered" the opportunity to connect to the community sewer system due to the limited number of connections may later be allowed to connect at the initial hookup rate with applications for grant money, if available, made by the property owner to the City.

ARTICLE VII. Use of the Public Sewers

Section 1. No person shall discharge or cause to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial waters to any sanitary sewer.

Section 2. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

(c) Any waters or wastes having a PH lower than five point five (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

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(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(e) Any wastes not pretreated by an interceptor tank.

Section 3. No person shall discharge or cause to be discharged the following substances, water, or wastes, if it appears likely in the opinion of the Sanitation Manager that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his or her opinion as to the acceptability of these wastes, the Sanitation Manager will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty degrees F (150°) (65°C).

(b) Any water or waste containing fats, gas, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty degrees F (150°) (65°C).

(c) Any garbage that has not been properly shredded.

(d) Any waters or wastes containing strong acid, iron, pickling wastes, or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Sanitation Manager for such materials.

(f) Any waters or wastes containing phenols or other taste-or-odor producing substances, in such concentrations exceeding limits which may be established by the Sanitation Manager as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.

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- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Sanitation Manager in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having a pH in excess of nine point five (9.5).
- (i) Materials which exert or cause:
  - (1) Unusual concentrations of inert suspended solids (such as, but not limited to Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 4. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 3 of this Article, and which, in the judgment of the Sanitation Manager may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Sanitation Manager may:

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers at no cost to the City;
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

Section 5. Grease, oil, and sand interceptors shall be provided, when in the opinion of the Sanitation Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients. All interceptors shall be of a type and capacity approved by the appropriate governmental agency and the City, and shall be located as to be readily and easily accessible for cleaning and inspection. Interceptors shall be provided by persons discharging into the sewer.

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Section 6. Where preliminary treatment of flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

ARTICLE VIII. Responsibility for Damage

Section 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the public sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct or criminal mischief.

Section 2. At all times, all building sewer lines to any interceptor tank and the maintenance of those lines belong to the private property owner and the maintenance of those lines belong to the private property owner and are the owner's responsibility for maintenance and upkeep. Where pumping from an interceptor tank is allowed, the owner shall be responsible for installation of the electrical panel and wiring from the residence or business to the interceptor tank and shall pay all associated power costs. The electrical panel and its wiring will be installed on the exterior of building for access. The interceptor tank and all lines leading from the tank to the public treatment works shall be the responsibility of the City for maintenance and upkeep.

Section 3. If any damage to the interceptor tank, public treatment works or connecting lines is the result of a negligent or intentional act of any individual, that individual shall be responsible for the cost of any and all repairs to the lines. If an agreement for payment is not reached between the City and the parties, the parties causing the damage shall also be responsible for any reasonable attorney's fees incurred by the City regarding this matter in any court of appeal.

ARTICLE IX. Powers and Authority of Inspectors

Section 1. The Sanitation Manager and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance.

Section 2. While performing the necessary work on private properties referred to in Section IX, Section 1, above, the Sanitation Manager or duly authorized employees of the City shall observe all safety rules applicable to the premises and shall hold harmless the property owner for injury or death to the City employees and the City shall indemnify the property owner against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the property owner and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the property owner to maintain safe conditions.

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Section 3. The Sanitation Manager and other duly authorized employees of the City shall be permitted to enter all property for the purpose of inspecting and maintaining the community sewer system or a City easement. All entries and work, if any, shall be by way of the City's easement granted by the owner at the time their permit was approved or connection made to the public sewer.

ARTICLE X. Penalties.

Section 1. Any person found to be violating any provision of this Ordinance shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Section 2. Violation of any of the provisions of this Ordinance which shall pose a danger or threat to any inhabitant of the City, or which may harm any part of the community sewer system, as determined by the Sanitation Manager, shall be cause for the City to enter onto the violator's property and to break and plug the connection to the community sewer system, or to disconnect and discontinue water service to the property, until such time as the cause of the damage or threat shall be shown to no longer exist, and until all damages to the community sewer system have been paid.

Section 3. Any person continuing any violation beyond the time limit provided for in Article X., Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$500 for each violation.

Section 4. Any person violating any of the provisions of this Ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

Section 5. Each day any provision is violated, or continues to be violated after notice is given, is a separate violation. Successive notices are not required for successive violations.

ARTICLE XI. Construction of Building Sewers

Section 1. All building sewers shall be laid on a grade of not less than  $3/16$  inch per foot for four inch pipe and of not less than  $1/8$  inch per foot for six inch pipe.

Section 2. Grade Release. If the grade of the building or side sewer is to be less than  $3/16$  inch per foot for four inch pipe or  $1/8$  inch per foot for six inch pipe, the property owner shall sign and acknowledge a grade release in a form approved by the City, the effect of which shall be to release the City from all future claims for damages due to the installation of said sewer. If there is doubt about grade, a grade release shall be procured before the pipe is laid. If upon inspection, the grade is inadequate, the grade release shall be filed in the Office of the City Recorder before any backfilling takes place.

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Section 3. Construction Specifications. All materials, pipe, and fittings used in the construction of effluent sewer lines on private property must meet published specifications of good construction as specified by the Sanitation Manager to prevent leakage and infiltration into the system.

Section 4. Pressure piping, fittings and cleanouts shall be Class 160 (SDR 26) pressure-rated PVC piping with rubber gasket joints conforming to ASTM D 1784 and ASTM D 2241. Pippings and fittings for pressure sewer service lines shall be Class 160 (SDR 26) pressure-rated PVC piping with rubber gasket joints conforming to ASTM D 1784 and ASTM D 2241 or polyethylene piping, pressure class 160 (SDR 26) conforming to ASTM D 2122.

Section 5. Interceptor tanks shall be of concrete construction from a supplier approved by the City. The City shall keep on file at all times currently approved manufacturer and/or supplier of approved interceptor tanks with their current prices as per agreement with the City.

Section 6. Minimum interceptor tank sizes shall be one thousand (1,000) gallons per residence. Minimum interceptor tank sizes for businesses or multi-residences shall be in accordance with requirements set forth by the Department of Environmental Quality, said requirements to be on file with the City.

ARTICLE XII. Validity.

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 3. Inasmuch as the provisions of this Ordinance are necessary for the immediate peace, health, and safety of the citizens of Falls City, this Ordinance shall be in effect from and after the date of its passage.

Section 4. Passed and adopted by the City Council on the 5th day of October, 1987.

APPROVED:

/s/ John F. McGee  
MAYOR

ATTEST:

/s/ Velta F. Mack  
CITY RECORDER

**§ 50.08 RESPONSIBILITY FOR DAMAGE.** (A) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the public sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct or criminal mischief. (B) At all times, all building sewer lines to any interceptor tank belong to the private property owner and are the owner's responsibility for maintenance and upkeep. Where pumping from an interceptor tank is allowed, the owner shall be responsible for installation of the electrical panel and wiring from the residence or business to the interceptor tank and shall pay all Falls City, OR Code of Ordinances American Legal Publishing Corporation 41 associated power costs. The electrical panel and its wiring will be installed on the exterior of the building for access. The interceptor tank and all lines leading from the tank to the public treatment works shall be the responsibility of the city for maintenance and upkeep. (C) If any damage to the interceptor tank, public treatment works, or connecting lines is the result of a negligent or intentional act of any individual, that individual shall be responsible for the cost of any and all repairs to the lines. If an agreement for payment is not reached between the city and the parties, the parties causing the damage shall also be responsible for any reasonable attorney's fees incurred by the city regarding this matter in any court of appeals. (Ord. 420, passed 10-5-1987) Penalty, see § 50.99

**§ 50.99 PENALTY.** (A) Generally. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99. (B) Sections 50.01 through 50.10. (1) Any person found to be violating any provision of §§ 50.01 through 50.10 shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations. (2) Violation of any of the provisions of §§ 50.01 through 50.10 which shall pose a danger or threat to any inhabitant of the city, or which may harm any part of the community sewer system, as determined by the Sanitation Manager, shall be cause for the city to enter onto the violator's property and to break and plug the connection to the community sewer system, or to disconnect and discontinue water service to the property, until the time as the cause of the damage or threat shall be shown to no longer exist, and until all damages to the community sewer system have been paid. (3) Any person continuing any violation beyond the time limit provided for in division (A) above shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding \$500 for each violation. (4) Any person violating any of the provisions of §§ 50.01 through 50.10 shall become liable to the city for any expense, loss, or damage occasioned the city by reason of the violation. (5) Each day any provision is violated, or continue to be violated after notice is given, is a separate violation. Successive notices are not required for successive violations. (Ord. 420, passed 10-5-1987)

**§ 10.99 GENERAL PENALTY.** (A) Any person violating any provision of this code for which no other specific penalty is provided shall, upon conviction, be punished by a fine not to exceed \$500, subject to division (B) below. (B) Any person violating any provision of this code which is identical to a state statute containing a penalty shall, upon conviction, be punished by the penalty prescribed by state statute. (C) Each calendar date on which a violation occurs constitutes a separate violation.